



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division

UNITED STATES OF AMERICA

v.

2:07CR141

SHIRIL LLEWELLYN

Defendant.

REPORT AND RECOMMENDATION
CONCERNING GUILTY PLEA

Defendant, by consent, has appeared before the undersigned pursuant to Rule 11, Federal Rules of Criminal Procedure, and referral from a United States District Judge and has entered a guilty plea to making a materially false statement to an agency of the United States, in violation of 18 U.S.C. § 1001. On February 26, 2008, defendant appeared before the Court for the purpose of entering her guilty plea. In the course of the proceeding, defendant acknowledged her understanding of the right to be indicted and expressly consented to proceeding on the criminal information of the United States Attorney. Defendant was represented by appointed counsel, Walter B. Dalton, Esquire.

Defendant was appropriate in appearance, responsive, and competently prepared for the hearing. She answered all questions put to her in clear and concise language. On those occasions when she had a question, defendant consulted with counsel and then promptly answered. Defendant was courteous and appropriate in her behavior at all times and clearly understood the seriousness of her position. At the close of the proceeding, defendant was placed on bond, pending completion of a presentence report.

Defendant is thirty-seven years of age, graduated from high school and completed a business college program, and speaks English as her native language. There was no evidence that defendant was on drugs, alcohol, or medication which might impair her judgment. She was cooperative throughout the proceeding.

Defendant entered her guilty plea pursuant to a plea agreement. The Court is completely satisfied, based upon defendant's responses, that she fully appreciates her position. Furthermore, she acknowledged that the statement of facts prepared in anticipation of her plea accurately reflects the government's evidence, in the event of trial.

After cautioning and examining defendant under oath concerning each of the subjects mentioned in Rule 11, the Court determined that the offense charged is supported by independent facts, establishing each of the essential elements of such offense. Therefore, the Court recommends that the guilty plea be accepted and that defendant be adjudged guilty and have sentence imposed accordingly.

Failure to file written objections to this report and recommendation within ten days from the date of its service shall bar an aggrieved party from attacking such report and recommendation before the assigned United States District Judge. 28 U.S.C. § 636(b)(1)(B).

Norfolk, Virginia

February 27, 2008

/s/
James E. Bradberry
United States Magistrate Judge